IN THE MATTER OF THE APPLICATION OF RAYMOND V. DOBRZYKOWSKI, ET UX FOR A ZONING VARIANCE ON PROPERTY LOCATED \* COUNTY BOARD OF APPEALS ON THE SOUTH SIDE WHITE MARSH ROAD, 461' EAST OF THE CENTERLINE OF BUCKS \* SCHOOLHOUSE ROAD (4511 WHITE MARSH

14th ELECTION DISTRICT

BALTIMORE COUNTY 6th COUNCILMANIC DISTRICT E CASE NO. 89-217-A

OPINION

. . . . . . . . . .

This case comes before the Board on appeal from an Order of the Deputy Zoning Commissioner dated December 21, 1988 granting the requested Petition for a variance to permit a side yard setback of 15 feet in lieu of the required 20 feet for a converted dwelling and an amendment to the "First Amended Partial Development Plan of Regester Tract, Section II" to extend development outside of the building envelope.

The Appellant/Protestant, an adjacent property owner, Mr. and Mrs. Eugene D. Palese, appeared before the Board in proper person. They did not appear at the hearing before the Deputy Zoning Commissioner. Mr. Palese testified that the granting of the Petitioner's request denied him of his present view, that there are no other lots with three car garages nearby, and the size of the resulting structure would greatly exceed in size any other structure in the area. He also claimed that there is a covenant in his and the Appellee/Petitioner's deeds that would not allow for this type of structure.

Mr. Raymond V. Dobrzykowski, Appellee/Petitioner, appeared and was represented by William J. Hahn, Esquire. He testified that he needed a variance and an amendment to the development plan in order to extend the development outside the building envelope. The requested addition to his existing house would be a two story garage (three bay garage) which would create a second floor dwelling unit. The requested variance is needed because of the location of the existing dwelling on the lot.

ject variance would not result in any detriment to the health, safety and general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Wood day of December, 1988 that the Petition for Zoning Variance to permit a side yard setback of 15 feet in lieu of the required 20 feet for a converted dwelling and an amendment to the "First Amended Partial Development Plan of Regester Tract, Section II" to extend development outside the building envelope, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however. Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Raymond V. Dobraykowski, et ux Case No. 89-217-A

The Appellee/Petitioner further testified that he wanted his parents or in-laws to live near him in the additional dwelling unit. The parents and in-laws were getting older, but they were not sick or infirmed.

When asked by the Board as to the zoning of the lot and its size, Mr. Dobrzykowski indicated that the zoning on the lot was D.R.5.5 and its size was .9 of an acre.

This case is nearly identical to Carney v. City of Baltimore, 201 Md. 130. There a homeowner sought a variance from a side yard requirement for the purpose of building a bedroom and bath on the ground floor of his house due to his wife's physical condition. The adjacent property owner objected because the variance would deprive him of light in his dining room. The Court of Appeals upheld the Board of Appeals decision denying the requested variance. The Opinion of the Court of Appeals said:

"The need sufficient to justify an exception must be substantial and urgent and not merely for the convenience of the applicant, inasmuch as the aim of the ordinance is to prevent exceptions as far as possible, and a liberal construction allowing exceptions for reasons that are not substantial and urgent would have the tendency to cause discrimination and eventually destroy the usefulness of the ordinance."

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the Petitioner and his property. In McLean v. Soley, 270 Md. 208, at 214, the Court of Appeals established the following criteria for determining whether "practical difficulty" exists:

1) Whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily

2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

2) The second floor apartment is limited to use by in-laws of Petitioners only. If said use ceases, the second floor apartment space shall only be used by Petitioners or any subsequent property owner in conjunction with their use of the principal dwelling.

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ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Raymond V. Dobrzykowski, et ux Case No. 89-217-A

should be denied and will so order.

After considering all of the testimony, exhibits and arguments, the Board is of the opinion that the Appellee/Petitioner's reasons for the variance are merely for the convenience or preference rather than of necessity for the variance. The Appellee/Petitioner has presented insufficient evidence to find that he would experience practical difficulty or unreasonable hardship if the requested variance were denied. He has also failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the Board is of the opinion that the request for the variance

The denial of the request for a variance renders the request for an amendment to the development plan moot.

ORDER

It is therefore this 22nd day of August, 1989 by the County Board of Appeals of Baltimore County ORDERED that the Petition for Variance in the above case be and the same is hereby DENIED and as a result thereof the request for an amendment to the development plan is moot.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

> COUNTY BOARD OF APPEALS Nimal 3 OF #141

I/We do solemnly declare and affirm,

200 <u>X</u>

PETITION FOR ZONING VANIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402.1 & 504 to permit a side yard setback of 15

in lieu of the required 20' for a converted dwelling and an amendment to "The First Amended Partial Development Plan of Section II of the Regester Tract" to extend outside of the of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for following reasons: (indicate hardship or practical difficulty)

Proposed building (garage) would create drainfield encroach HENTE 17-13.

20 FT BULDING, SETBACK Encroachment @ one point 200 FF. @ Desire to relocate drainfield to allow construction. freduce building set back to 15 Ft @ one point

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser: RAYMOND V DOBRZYKOWSKI (Type or Print Name) (Type or Print Name) aynord U Jobnyhuchi JEAN M DOBRZYKOWSKI Attorney for Petitioner: (Type or Print Name) Name, address and phone number of legal owner, con-tract purchaser or representative to be contacted RAYMOND DOBRZYKOWSKI 4511 WHITE MARSH RD 665-803.

October, 19 18, that the subject matter of this petition be advertised, as of \_\_\_\_\_\_, that the subject matter of this period be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore 19th day of December, 1988, at 2 o'clock

Zoning Commissioner of Baltimore County

PETITION FOR ZONING VARIANCE \* BEFORE THE S/S White Marsh Rd., 461' E of the c/l of Bucks Schoolhouse Rd. \* DEPUTY ZONING COMMISSIONER (4511 White Marsh Road) 14th Election District

6th Councilmanic District

\* OF BALTIMORE COUNTY \* Case No. 89-217-A

Raymond V. Dobrzykowski, et ux Petitioners

\* \* \* \* \* \* \* \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 15 feet in lieu of the required 20 feet for a converted dwelling and an amendment to the "First Amended Partial Development Plan of Regester Tract, Section II" to extend development outside the building envelope, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Raymond Dobrzykowski, appeared and testified. There were no Protestants.

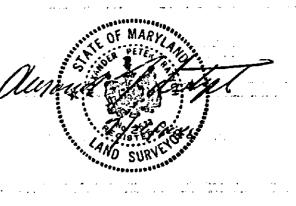
Testimony indicated that the subject property, known as 4511 White Marsh Foad, is zoned D.R. 3.5 and is currently improved with a one $oldsymbol{\lambda}$  story single family dwelling which has been the Petitioners' residence for the past 5 years. Petitioners propose constructing a two story garage addition which will provide a second floor apartment unit for thein inlaws. Petitioner indicated the requested variances are needed due to the location of the existing dwelling on the lot. Mr. Dobrzykowski further indicated that the second floor apartment would only be used by either his parents or his wife's parents and at no time would be rented out or occupied by any party other than in-laws. Petitioner indicated he discussed his proposal with his neighbors who indicated they had no objections his plans. Mr. Dobrzykowski further argued that the granting of the sub-

DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE 4511 WHITE MARSH ROAD BALTIMORE COUNTY, MARYLAND

Alexander P. Ratych, Prof. L.S. Richard J. Truelove, P.E. Kovin L. Qualet, P.E. Paul A. Ratych

BEING Lot #1 on a plat entitled "Subdivision Plat of Section Two of the George S. Regester & Wife Property," which plat is recorded among the Plat Records of Baltimore County in Plat Book E.H.K. No. 49, Folio 20 and on a plat entitled "Amended Subdivison Plat of Section Two of the George S. Regester & Wife Property" which plat is recorded among the Plat Records aforesaid in Plat Book E.H.K. No. 50, Folio 126.

BEING the same lot of ground in a Deed dated March 26, 1983 and recorded among the Land Records of Baltimore County in Liber 6505, Folio 535 was conveyed from George S. Regester and Carolyn G. Regester, his wife to Raymond V. Dobrzykowski and Jean M. Dobrzykowski, his wife.



Attorney's Telephone No.: \_\_\_\_\_

7427 Harford Road Baltimore, Maryland 21234 (301) 444-4312

3/22/89 -Following notified of hearing set for Friday, July 14, 1989 at 10:00 a.m.:

Arnold Jablon, Esq.

Mr. and Mrs. Raymond V. Dobrzykowski Mr. and Mrs. Eugene D. Palese P. David Fields Pat Keller J. Robert Haines Ann Nastarowicz James E. Dyer Docket Clerk -Zoning

Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

February 3, 1989

Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204

(4511 White Marsh Road)

Dennis F. Rasmussen RE: Petition for Zoning Variance S/S White Marsh Road, 461' E of the c/1 of Bucks Schoolhouse Rd.

14th Election District, 6th Councilmanic District Raymond V. Dobrzykowski, et ux - Petitioner Case No. 89-217-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on January 19, 1989 by Mr. & Mrs. Eugene D. Palese, Protestants\*. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Zoning Commissioner

\*Although there were no protestants present at the hearing, we accepted this appeal request against the Deputy Zoning Commissioner's decision.

Enclosures

cc: Mr. & Mrs. Raymond V. Dobrzykowski 4511 White Marsh Road, Baltimore, Md. 21237 Mr. & Mrs. Eugene D. Palese 4505 White Marsh Road, Baltimore, Md. 21237

People's Counsel of Baltimore County Rm. 304, County Office Bldg., Towson, Md. 21204

2. We are against the 20 foot set back from the property line being reduced to 15. Because of the way our neighbors house is situated, directly behind ours, and close to our property line, this extra footage will block what little remains of our view.

3. We are not sure of how the final project will look. The addition of the 3 car 2 story garage will look larger than the original house its being attached to.

Sincerely,

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 484833X 887-3353 J. Robert Haines
Zoning Commussioner

December 21, 1988



Mr. & Mrs. Raymond V. Dobrzykowski 4511 White Marsh Road Baltimore, Maryland 21237

RE: PETITION FOR ZONING VARIANCE S/S White Marsh Road, 461' E of the c/l of Bucks Schoolhouse Road (4511 White Marsh Road) 14th Election District - 6th Councilmanic District Raymond V. Dobrzykowski, et ux - Petitioners

Case No. 89-217-A Dear Mr. & Mrs. Dobrzykowski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

arm M. Niotaure, ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel

Petition for Zoning Variance S/S White Marsh, 461' E of the c/1 of Bucks Schoolhouse Road (4511 White Marsh Road) 14th Election District - 6th Councilmanic District RAYMOND V. DOBRZYKOWSKI, ET UX - Petitioner Case No. 89-217-A

Petition for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None Submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: Plat to accompany petition for Variance

Deputy Zoning Commissioner's Order dated December 21, 1988 (Granted with restrictions)

Notice of Appeal received January 19, 1989 from Mr. & Mrs. Eugene D. Palese, Protestants

cc: Mr. & Mrs. Raymond V. Dobrzykowski 4511 White Marsh Road, Baltimore, Md. 21237

Mr. & Mrs. Eugene D. Palese 4505 White Marsh Road, Baltimore, Md. 21237

People's Counsel of Baltimore County Rm. 304, County Office Bldg., Towson, Md. 21204

Docket Clerk

Request Notification: P. David Fields, Director of Planning & Zoning Patrick Keller, Office of Planning & Zoning J. Robert Haines, Zoning Commissioner Ann M. Nastarowicz, Deputy Zoning Commissioner James E. Dyer, Zoning Supervisor

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

TOWSON, MD., <u>november 16</u>, 19\_88 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on nor 16, 17, 19.88

> THE JEFFERSONIAN, THE NORTHEAST TIMES

\*\*F PHASE # OF SNOW EMER-GENCY PLAN IS IN EFFECT ON THIS DATE, CASE WILL BE RESCHEDULED. CALL 494-3391 or 807-3391 TO CONFIRM DATE. In the evert that this Position is granted, a building parmit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however entertain any requasit for a stay of the issuence of said permit during this pe-nied for good cause shown. Such re-quest must be in writing and received in this office by the date of the hearing-set above or presented at the hearing-

IF PHASE II OF SNOW EMER-

PO 05864 reg 420435 Case 89-217-4 price \$65.55

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting 11/18/88 Petitioner: Reymon & Opbrzykowski, etus Location of property: 5/5 White Horse Ad. Hos E Buck School House Rd 4511 Whit- Mont Rd, Location of Signer Free of White Morse Al eppres 10 For foodway. on Right of Drilo Way, localing to Bolow

We would like to appeal case no. 89-217-A
pertaining to the planned 3 car garage with
a partment above. We have 3 reasons for appealing. 1. Our lot and the three surrounding lots were subdivided from a larger piece of ground. They were purchased from a single owner. All the lots were sold with a Declaration of Restrictions attached to the purchasing contracts. One of the restrictions specifically and clearly states:

"Lots shall be used for private residential purposes only, single family seems." purposes only, single family occupancy."
We feel this plan to build an apartment directly violates this original restriction. We are concerned about who will be living in What will happen BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE · REVENUE DIVISION are the guarantees MISCELLANEOUS CASH RECEIPT rented? OUNT 001-006-6150 good taith, Knowing would be RECEIVED FILEFUF D. PALFIE CLUX as us. We FILING - CASE # 89-217A OT

79-217-A

Townen, Maryland	
Posted for: APPaal	
Posted for: APPaal	Date of Posting 3/9/89
Petitioner: Lay mond Dobrzy	Comski, et ux  sh Rd. Hol' Ef Bucks showl theor Pd.
Location of property: 5/5 White Man	of Ad Will of
Mail White Merch Po	1 Ef Bucks show they Pd.
Location of Signer / Co. 1	
Postalet on from of lawsway, looding. Remarks:	To proper to 1 1 5 5
Remarks:	

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

J. Robert Haines

Mr. & Mrs. Raymond V. Dobrzykowski 4511 White Marsh Road Baltimore, Maryland 21237



Fetition for Zoning Variance CASE NUMBER: 89-217-A S/S White Marsh Road, 461 E c/l Bucks School House Road (4511 White Marsh Road) 14th Election District - 6th Councilmanic Petitioner(s): Raymond Dobrzykowski, et ux HEARING SCHEDULED: FRIDAY, DECEMBER 9, 1988 at 2:00 p.m.\*

Please be advised that \$6.55 is due for advertising and posting of riease be advised that  $v \rightarrow v$  is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do <u>not</u> remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before a schowled to begin

BALTIMORE COUNTY, MARYLAND each set not MISCELLANEOUS CASH RECEIPT 1000 80.55

-B -- 8 032\*\*\*\*\*\*\*\*\*\*\*\*

89-217-8

VALIDATION OR SIGNATURE OF CASHIER

89-217-A

89-217-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this \_ day of \_\_October \_\_\_, 1988. ·

Petitioner Raymond V. Dobrzykowski, et Roceived by: fames R. Dver Chairman, Zoning Plans Petitioner's Advisory Committee

Petition for Zoning Variance S/S White Marsh, 461' E of the c/1 of Bucks Schoolhouse Road (4511 White Marsh Road) 14th Election District - 6th Councilmanic District RAYMOND V. DOBRZYKOWSKI, ET UX - Petitioner Case No. 89-217-A

Petition for Zc..ing Variance Description of Property

Certificate of Posting Certificate of Publication

Entry of Appearance of People's Counsel (None Submitted) Zoning Plans Advisory Committee Comments / Director of Planning & Zoning Comments

Petitioner's Exhibits: Plat to accompany petition for Variance

Deputy Zoning Commissioner's Order dated December 21, 1988 (Granted with restrictions)

Notice of Appeal received January 19, 1989 from Mr. & Mrs. Eugene D. Palese, Protestants cc: Mr. & Mrs. Raymond V. Dobrzykowski

4511 White Marsh Road, Baltimore, Md. 21237 Mr. & Mrs. Eugene D. Palese
4505 White Marsh Road, Baltimore, Md. 21237

People's Counsel of Baltimore County out pur Oking Theore Rm. 304, County Office Bldg., Towson, Md. 21204 2/03/89

Arnold Jablon, Esquire - Office of Law

Request Notification: P. David Fields, Director of Planning & Zoning Patrick Keller, Office of Flanning & Zoning J. Robert Haines, Zoning Commissioner Ann M. Nastarowicz, Deputy Zoning Commissioner James E. Dyer, Zoning Supervisor Docket Clerk

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

October 28, 1988

Dennis F. Rasmussen
County Executive

Mr. J. Pobert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 121, 140, (141) 143, 146, 148, and 149. Very truly yours,

MSF/lvw

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke

November 10, 1988

J. Robert Haines, Zoning Commissioner Office of Planning & Zoning Baltimore County Office Building Towson, Maryland 21204



Dennis F. Rasmussen

EMERGENCY PLAN IS IN EFFECT

IN BALTIMORE COUNTY BY

8:30 a.m. ON THE DATE OF

THE ABOVE HEARING, SUCH

HEARING WILL BE POSTPONED

AND TENTATIVELY RESCHEDUL-

ED FUR THURSDAY, JANUARY

12, 1989. PLEASE TELEPHONE DOCKET CLERK AT

494-3391 or 887-3391TO

CONFIRM DATE.

Re: Property Owner: Raymond Dobrzykowski, et ux

Location: S/S White Marsh Road, 461' E. of c/1 of Bucks School County Executive House Road Zoning Agenda: Meeting of 10/18/88 Item No.: 141

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

October 27, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act

and Regulations of Baltimore County will hold a public hearing on the property

Variance to permit a side yard setback of 15' in lieu of the required 20' for a converted dwelling and an amendment to "The First Amended Partial Development Plan of Section II

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however,

entertain any request for a stay of the issuance of said permit during this

entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

identified herein in Room 106 of the County Office Building, located at 111

W. Chesapeake Avenue in Towson, Maryland as follows:

S/S White Marsh Road, 461' E c/l Bucks School House Road

HEARING SCHEDULED: FRIDAY, DECEMBER 9, 1988 at 2:00 p.m.\*

of the Regester Tract" to extend outside of the building envelope.

14th Election District - 6th Councilmanic

Petitioner(s): Raymond Dobrzykowski, et ux

J. Polont flaires

J. ROBERT HAINES

Baltimore County

Zoning Commissioner of

cc: Mr. & Mrs. Dobrzykowski

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

PEVIEWER: Of look 13-3-16 APPROVED: Fire 1
Special Inspection Division

Zoning Commissioner
Office of Planning & Zoning

Petition for Zoning Variance

CASE NUMBER: 89-217-A

(4511 White Marsh Road)

Towson, Maryland 21204

J. Robert Haines

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 2, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Bureau of

Department of Traffic Engineering State Roads Commissio Bureau of Health Department Project Planning

Industrial

Mr. and Mrs. Raymond V. Dobrzykowski 4511 White Marsh Road Baltimore, Maryland 21237

Building Department Board of Education

RE: Item No. 141, Case No. 89-217-A Petitioner: Raymond V. Dobrzykowski, et ux

Zoning Administration

Dear Mr. & Mrs. Dobrzykowski:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Petition for Zoning Variance

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members your petition. It similar comments from the femaliting members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Games E. Byerlde JAMES E. DYER Zoning Plans Advisory Committee

JED:dt

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner Pat Keller, Deputy Director

FROM Office of Planning and Zoning Zoning Petition Nos. 89-187-A (Ryan Homes); 89-188-A (Healy); 89-202-A SUBJECT (Cromwell Station Joint Venture); 89-200-A (Krivitski); 89-207-A (Minton); 89-211-A (Div.-Greenspring Ave.); 89-212-A (Bollinger); 89-217-A (Dobrzyowski) 89-218-A (Yanchus); 89-228-A (Bosse); (89-230-A [Ray] and 89-231-A [Katrick] - located in Critical Area) and 39-235-A (Blevins)

Date November 29, 1988

The Office of Planning and Zoning has no comment on the proposed projects except as noted:

- All requests should be subject to the site plan as shown (use, size, location) and not uniformly applied to the lot. Any substantial deviation from the construction as shown will result in voiding of the approval.

PK/sf

ZONING OFFICE

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

February 3, 1989

Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204

RE: Petition for Zoning Variance S/S White Marsh Road, 461' E of the c/1 of Bucks Schoolhouse Rd. (4511 White Marsh Road) 14th Election District, 6th Councilmanic District Raymond V. Dobrzykowski, et ux - Petitioner

Dear Board:

Case No. 89-217-A

Please be advised that an appeal of the above-referenced case was filed in this office on January 19, 1989 by Mr. & Mrs. Eugene D. Palese, Protestants\*. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Dennis F. Rasmussen
County Executive

JRH:cer

\*Although there were no protestants present at the hearing, we accepted this appeal request against the Deputy Zoning Commissioner's decision.

Enclosures

cc: Mr. & Mrs. Raymond V. Dobrzykowski 4511 White Marsh Road, Baltimore, Md. 21237 Mr. & Mrs. Eugene D. Palese 4505 White Marsh Road, Baltimore, Md. 21237 People's Counsel of Baltimore County

County Board of Appeals of Baltimore County COUNTY OFFICE BUILDING, ROOM 315

111 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 (301) 887-3180

August 22, 1989

Mr. and Mrs. Raymond V. Dobrzykowski 4511 White Marsh Road Baltimore, Maryland 21237

Re: Raymond V. Dobrzykowski, et ux Case No. 89-217-A

Dear Mr. and Mrs. Dobrzykowski:

Enclosed is a copy of the final Opinion and Order of the Board

issued this date by the County Board of Appeals in the subject matter.

LindaLee M. Kuszmaul

Enclosure

cc: Mr. and Mrs. Eugene Palese P. David Fields Pat Keller J. Robert Haines Ann M. Nastarowicz James E. Dyer Docket Clerk - Zoning Arnold Jablon, County Attorney

Rm. 304, County Office Bldg., Towson, Md. 21204















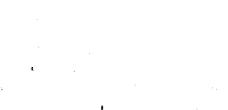




























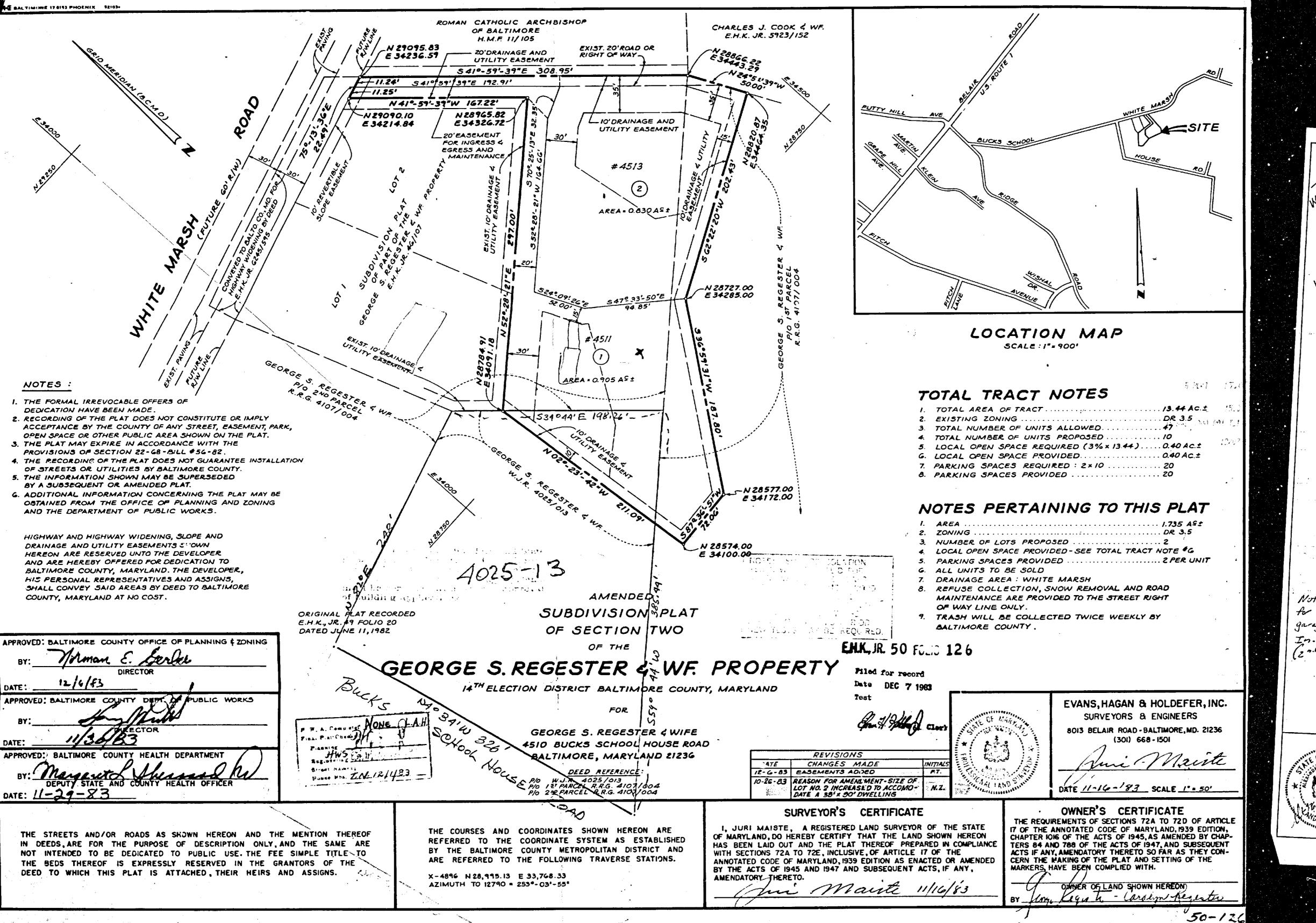












LOCATION MAP SCALE: 1'22000' Owner: Raymond & Jean DobrzyKowski Lot scrul by Well & Septie DEED REFERENCE: LIBER E.H.K. JR. 6505, FOLIO 535 LOT I SECTION TWO " GEORGE S. REGISTER & WF. PROPERTY " PLAT BOOK EHKJr. 50/126 DR 3.5 Zoned Lot size = lacre .43,560 sy FX Election District 14 GARAGE Note: Variance is needed for a combination garage (1st flow) and In-Law apartment (2 ne floor). -10' DRAILLAGE AUD UTILITY EASEMENT MICROFILMED PLAT TO ACCOMPANY #141 PETITION FOR VARIANCE 4511 WHITE MARSH ROAD BALTIMORE COUNTY, MD. 7427 Harferd Road • Baltimere, Maryland 21234 • (301) 444-4312 9/26/88

DATE

MICROFILMED